

Subjects-

Unlawful assemblies - dispersal of - instructions regarding.

I. INTRODUCTION For the maintenance of public order & tranquillity law authorises any executive magistrate or officer in charge of a Police Station & in his absence any police officer not below the rank of ASI to Command any unlawful assembly or any assembly of five or more persons likely to cause disturbance of public peace to disperse and it shall there-upon be the duty of the members of such assembly to disperse accordingly. If on being commanded, such assembly does not disperse or if without being so commanded, it conducts itself in such a manner as to show a determination, not to disperse, any Executive Magistrate or police officer referred to above may proceed to disperse such assembly by force & may require the assistance of any male person not being an officer or member of armed forces and acting as such for the purpose of dispersing such assembly & if necessary for arresting & confining the persons, who form part of it, in order to disperse such assembly or that they may be punished according to law.

II. GUIDING PRINCIPLES.

Situations requiring dispersal of such assemblies differs from place to place & time to time. It is therefore necessary for the police officers of all ranks to be fully acquainted with the legal provisions contained in sections 129 to 132 of Cr.P.C. and to act with utmost restraint and patience, taking care at the same time that the situation does not take an ugly turn & that there is no loss to life & property. The handling of such situations demands intelligence, alertness and coordination of various agencies particularly intelligence & law enforcing agencies and thoughtful anticipation of events to come. Hence much will depend upon the personal capability of the officer incharge of the situation. However, following guidelines are issued for the information of and compliance by all concerned including gazetted officers:-

- i) The various functions required in dealing with a riot can be carried out by accustomed drill movements with modifications necessitated by the situation. For example, if a single line is required, it should be formed in the usual way and not by endeavouring to get individual men to adopt the formation.

- ii) There is a tendency from G.Os. to ASIs to give orders for a concerted movement to men individually instead of in the proper manner and through the proper channel. For example if a gazetted officer is required to form a cordon with four reserves, it is useless for him to endeavour to give orders personally to the one hundred constables involved. On the contrary, he should first explain to two or more upper sub-ordinates at his disposal, the nature of the operations to be effected and they should then issue appropriate drill orders to their commands, which are usually small enough to hear the orders and carry them out. This initial briefing should be ensured so that the staff down the line is aware of their roles.
- iii) It is essential that units should be kept together and that formations should be preserved. For example, it is extremely dangerous for men armed either with rifles, muskets or tear smoke guns to open fire unless they are in lines. Again foot or mounted police seeking to disperse a crowd must maintain a line. Failure to maintain line may result in individuals being isolated in the crowd and severely hurt by its members, or in the heat of the movement by their own comrades. Further, a disciplined movement by a few men has far more greater effect than individual efforts by a large number in a heterogeneous way.
- iv) Individual members of the force may, when excited by provocation or injury, start shouting thereby causing confusion and preventing the orders of responsible officers from being heard. It is therefore necessary that when dispersal action is on, no one should open his mouth except the officers who are required to give orders.
- v) The principle of minimum force to be used shall be kept in view, but whenever force has to be used it should be used with determination and firmness. The instructions laid down in P.P.Rs. 14.56, section 28(i) (a) and section 29 of D.P. Act read with the Delhi (Control of Processions, Assemblies and playing of music in public places) Regulations, 1980, notified vide No.3218/Spl. Cell, dated 7.10.1980, should be followed.
- vi) Whenever police force is expected to go into action they should wear steel helmets, carry cane shields & other defensive equipment. The tear gas squad and the force which supports the tear gas squad shall wear duty and service respirators respectively. Tear gas guns and grenades shall be fired only by the officers/men trained in their use.
- vii) The force shall always be divided into small sections and placed under the charge of section and platoon commanders in order to have effective control on them. In no case the strength of force used for dispersal of such assemblies shall be less than on section (commander and 5 constables) and they shall work under their own officers. This, however, shall not deter police officer of authorised rank to act for controlling situations likely to take an explosive turn in the circumstances mentioned in para 1 above till the arrival of reinforcements.

viii) Whenever it is decided to use gas or open fire, all policemen present in between the procession and the gas squad or armed squad must be withdrawn forthwith by the sounding of a bugle or making a suitable announcements. 135

ix) For every major arrangement a suitable signal for withdrawing/recalling the force shall be arranged and included in the briefing.

This supersedes old S.O.No.72 issued vide this Hdqr.No.21916-22016/C&T, dated 27.9.1967.

Sd/-
(KANWALJIT DEOL) DCP:HQ(II)
for COMMISSIONER OF POLICE, DELHI.

No. 4656-4856/XXI/151/Spl.88, C&T.AC.IV, dated, Delhi the 19-1-89

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